

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

SOO LINE RAILROAD COMPANY
d/b/a CANADIAN PACIFIC RAILWAY,

Plaintiff,

V.

BROTHERHOOD OF MAINTENANCE OF WAY
EMPLOYES DIVISION OF THE INTERNATIONAL
BROTHERHOOD OF TEAMSTERS.

Defendant.

Civil Action No. 08 CV 1813

Judge Der-Yeghiyan
Magistrate Judge Cox

NOTICE OF MOTION

To: William L. Phillips
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Suite 1605
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William A. Bon
General Counsel
Brotherhood of Maintenance of
Way Employees Division/IBT
20300 Civic Center Drive
Suite 320
Southfield, MI 48076-4169

Richard S. Edelman
O'Donnell, Schwartz &
Anderson, P.C.
1300 L Street, N.W.
Suite 1200
Washington, D.C. 20005

PLEASE TAKE NOTICE that on **Wednesday, August 13, 2008, at 9:00 a.m.** or as soon thereafter as counsel may be heard, the undersigned will appear before the Honorable Samuel Der-Yeghiayan, or any judge sitting in his stead, in courtroom 1903, 219 South Dearborn Street, Chicago, Illinois and present the attached *Unopposed Motion Of Plaintiff Soo Line Railroad Company For An Order Holding The Record Open On Defendant's Motion To Dismiss Pending The Deposition Of Third-Party Witness Gordon E. Smith And Allowing The Filing Of Supplemental Memoranda* in the above matter, a copy of which is hereby served upon you.

Dated: August 8, 2008

*Attorneys for Plaintiff Soo Line Railroad
Company*

s/ James S. Whitehead

James S. Whitehead

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CERTIFICATE OF SERVICE

James S. Whitehead, one of the attorneys for Plaintiff, hereby certifies that service of the attached was accomplished pursuant to the ECF system on:

William L. Phillips

and by United States mail, first-class postage prepaid on:

Richard S. Edelman
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20300 Civic Center Drive, Suite 320
Southfield, MI 48076-4169

on August 8, 2008

s/ James S. Whitehead